

Attorney Docket No.:	SIT-0106
Inventors:	Esche and Nazalewicz
Serial No.:	09/954,994
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#### REMARKS

Claims 1 and 2 are pending in the instant application. Claims 1 and 2 have been rejected. Claims 1 and 2 have been amended. No new matter has been added by this amendment. Reconsideration is respectfully requested in light of the following remarks.

#### I. Claim Objections

Claim 1 has been objected to because of the phrase "the longitudinal axis". It is suggested that this phrase be reworded since there are several longitudinal axes along which the non-linear spring and the chambers are disposed.

As illustrated in Figure 1, the pneumatic actuator of the instant device has disposed along its *central* longitudinal axis a non-linear spring, an upper pressure chamber and lower pressure chamber, wherein the upper pressure chamber and lower pressure chamber are on either side of non-linear spring. Therefore, in an earnest effort to facilitate the prosecution of this application and present the rejected claim in better form for consideration, Applicants have amended claim 1 to indicate that the claimed elements of the pneumatic actuator are disposed along the central longitudinal axis. In light of this amendment, it is respectfully requested that this objection be reconsidered and withdrawn.

#### II. Rejection of Claims Under 35 U.S.C. §102

Claim 2 remains rejected under 35 U.S.C. §102(b) as being anticipated by JP-2000291725 (JP '725). The Examiner suggests

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that figure 2 of JP '725 shows a device for adaptive vibration attenuation comprising a passive isolator **14a,18,22,28** with a non-linear force-deflection characteristic as disclosed in line 3 of the novelty section of the English abstract, wherein the passive isolator comprises a mechanical actuator **14a,18,22,28** which varies an operating point of the passive isolator along the force-deflection characteristic and is comprised of a coiled spring **28**, a load supporting rod **27**, a non-linear spring **14a** and a means **22** for externally controlling a preload to the coiled spring whereby as the coiled spring force is varied, the load supporting rod transfers pressure to the non-linear spring via elements **12, 16**, and **28**. Applicants respectfully disagree.

As shown in the illustration on the cover of JP '725, element **27** appears to be a screw attaching element **26** to element **24** and is situated adjacent to coiled spring **14**. In contrast, Figure 2 and the paragraph bridging pages 7 and 8 of the present application teach that load supporting rod **16** of the instant device is disposed through the center of coiled spring **58**. Accordingly, in an earnest effort to present the rejected claim in better form for consideration by clarifying the structure of the instant device, Applicants have amended claim 2 to indicate that the load supporting rod is disposed through the center of the coiled spring as supported by Figure 2 and the paragraph bridging pages 7 and 8. Because JP '725 does not teach or suggest this arrangement of the elements of the device set forth in claim 2, this reference cannot be held to anticipate said device. It is therefore respectfully requested that this rejection be reconsidered and withdrawn.

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### **III. Rejection of Claims Under 35 U.S.C. §103**

Claim 1 remains rejected under 35 U.S.C. §103(a) as being unpatentable over Shores et al. (U.S. Patent No. 6,361,031) in view of Wolf et al. (U.S. Patent No. 5,700,000) or the reasons of record. The Examiner further suggests that, as depicted in the annotated figure at page 6 of the Office Action, the actuator of Shores has disposed along a longitudinal axis a spring **22**, and at least one upper and lower pressure chamber **44** and **26**, respectively. Applicants respectfully traverse this rejection.

At the outset, Applicant respectfully points out that while the Examiner has suggested a longitudinal axis along which is located a spring **22**, and at least one upper and lower pressure chamber **44** and **26**, respectively, elements **44** and **26** are not situated such that they are on either side of the non-linear spring as required by the instant claim. Moreover, as set forth in amended claim 1, the pneumatic actuator of the instant device has disposed along its *central* longitudinal axis a non-linear spring, an upper pressure chamber and lower pressure chamber, wherein the upper pressure chamber and lower pressure chamber are on either side of non-linear spring. Such an arrangement of elements along the central longitudinal axis of a pneumatic actuator is neither taught nor suggested by the cited prior art references. Because Shores et al. and Wolf et al. do not teach or suggest the elements arranged as required by the claim 1, these references cannot be held to make the instant invention

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obvious. It is therefore respectfully requested that this rejection be reconsidered and withdrawn.

#### **IV. Conclusion**

The Applicants believe that the foregoing comprises a full and complete response to the Office Action of record. Accordingly, favorable reconsideration and subsequent allowance of the pending claims is earnestly solicited.

Respectfully submitted,

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